IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

SATURDAY, THE 1ST DECEMBER 2007 / 10TH AGRAHAYANA 1929

WP(C).No. 35587 of 2007(J)

PETITIONER:

NEELAMBARI RESORTS, MARUTHOM THATTU,
CULLY P.O., KANHANGAD REPRESENTED BY IT'S MANAGER,
SREEJITH.

BY ADV. SRI.K.V.RAJENDRAN
SRI.REENA ABRAHAM

RESPONDENTS:

---

1. THE DEPUTY COMMISSIONER (APPEALS),
DEPARTMENT OF COMMERCIAL TAXES,
KOZHIKODE.

2. THE INTELLIGENCE OFFICER (I B),
COMMERCIAL TAXES, KASARAGOD.

3. INSPECTING ASSISTANT COMMISSIONER,
COMMERCIAL TAXES, KASARAGOD.

BY GOVERNMENT PLEADER SRI. TEK CHAND

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 01/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J

W.P.(C).35587/2007

Dated this the 1st day of December, 2007

JUDGMENT

Against Exts.P1 and P2 orders of penalty levied for the assessment years 2004-05 and 2005-06, appeals have been preferred by the petitioner vide Exts.P3 and P4. It is submitted that along with appeals, Ext.P5 and P6 stay petitions are also filed and these are pending consideration of the first respondent. While so, revenue recovery action has been initiated vide Ext.P7. Hence this Writ petition.

Taking into account the pendency of he appeals and stay petitions as stated above, I dispose of this writ petition directing that the stay petitions, Ext.P5 and P6, shall be taken up and orders thereon shall be passed by the first respondent within three weeks of production of a copy of this judgment.

In the meantime further proceedings pursuant to Ext.P7 revenue recovery proceedings shall be deferred for a period of four weeks.

Petitioner shall produce a copy of this judgment before the first respondent for compliance.

ANTONY DOMINIC
Judge

mrcs